

Howard	Roach of Hunt
Jackson	Roane
Jefferson	Roark
Jones of Atascosa	Rogers
King	Russell
Knetsch	Scarborough
Lange	Settle
Leath	Smith
Luker	Spears
McFarland	Stinson
Moore	Tarwater
Olsen	Thornton
Palmer	Tillery
Patterson	Waggoner
Petsch	Wells
Pope	Wood of Harrison
Reader	Wood of Montague
Reed of Bowie	Worley
Riddle	

The House, accordingly, at 10:20 o'clock a. m., adjourned until 9 o'clock a. m., Monday, April 8, 1935.

FORTY-SIXTH DAY

(Monday, April 8, 1935)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Davisson
Adamson	of Eastland
Aikin	Dickison
Alexander	Dunagan
Alsup	Dunlap of Hays
Ash	Dunlap of Kleberg
Atchison	Duvall
Beck	Dwyer
Bourne	England
Bradbury	Fain
Bradford	Farmer
Broyles	Fisher
Burton	Fitzwater
Butler of Brazos	Ford
Butler of Karnes	Fox
Cagle	Frazer
Caldwell	Fuchs
Calvert	Gibson
Canon	Glass
Celaya	Good
Clayton	Graves
Collins	Gray
Colquitt	Greathouse
Colson	Hankamer
Cooper	Hanna
Cowley	Hardin
Craddock	Harris of Archer
Crossley	Harris of Dallas
Daniel	Hartzog
Davis	Head
Davison of Fisher	Herzik

Hill	Nicholson
Hodges	Olsen
Hofheinz	Padgett
Holland	Palmer
Hoskins	Patterson
Howard	Payne
Huddleston	Petsch
Hunt	Pope
Hunter	Quinn
Hyder	Reader
Jackson	Reed of Bowie
James	Reed of Dallas
Jefferson	Riddle
Jones of Atascosa	Roach of Angelina
Jones of Falls	Roach of Hunt
Jones of Runnels	Roane
Jones of Shelby	Roark
Jones of Wise	Roberts
Keefe	Rogers
King	Russell
Knetsch	Rutta
Lanning	Scarborough
Latham	Shofner
Leath	Smith
Lemens	Spears
Leonard	Stanfield
Lindsey	Steward
Lotief	Stinson
Lucas	Stovall
Luker	Tarwater
Mauritz	Tennyson
McCalla	Thornton
McConnell	Tillery
McFarland	Venable
McKee	Waggoner
McKinney	Walker
Moffett	Westfall
Moore	Wood of Harrison
Morris	Wood of Montague
Morrison	Worley
Morse	Young
Newton	Youngblood

Absent

Lange

Absent—Excused

Adkins	Settle
Bergman	Wells

A quorum was announced present.

Rev. Geo. W. Coltrin, Chaplain, offered the following invocation:

"Almighty God, it is by Thy providence that we are privileged to come to this day of great opportunity. We know that our obligations are measured by our abilities. Qualify us, we pray, to meet the reasonable expectations of the Almighty concerning us. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today, on account of important business:

Mr. Colson for this morning, on motion of Mr. Lucas.

Mr. Waggoner for today, on motion of Mr. Wood of Harrison.

Mr. Bergman for today, on motion of Mr. Canon.

The following members were granted leaves of absence on account of illness:

Mr. Adkins for today, on motion of Mr. Jones of Falls.

Mr. Settle for today, on motion of Mr. Hyder.

Mr. Wells for last Friday afternoon, Saturday, and today, on account of illness in his family, on motion of Mr. Head.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Wood of Harrison:

H. B. No. 940, A bill to be entitled "An Act providing for the relief of Darco Common School District of Harrison County, Texas; to aid said school district to rebuild and reconstruct a public school building; appropriating dollars (\$.....); rebuilding and reconstructing the public school building; prescribing the manner in which the funds hereby appropriated shall be paid, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. McKee (by request) and Mr. Nicholson:

H. B. No. 941, A bill to be entitled "An Act to safeguard the public in the purchase of high grade plant and nursery stock, true to name; further defining the duties of the State Seed and Plant Board; establishing a system of registration and certification for agricultural plants and nursery stock, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Dunlap of Hays:

H. B. No. 942, A bill to be entitled "An Act making an appropriation of two hundred thousand dollars (\$200,000) for the construction of and equipment for a Library Building at

Southwest Texas State Teachers College, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Butler of Brazos:

H. B. No. 943, A bill to be entitled "An Act providing for a rural school supervisor, prescribing qualifications and duties of said rural school supervisor, providing for the payment of the salary of said rural school supervisor, in counties having a population of 21,830 to 22,080, according to the Federal Census of 1930, and a scholastic population of not less than 6,200, as shown by the scholastic census report for the school year 1934-35, and declaring an emergency."

Referred to Committee on Education.

By Mr. Celaya:

H. B. No. 944, A bill to be entitled "An Act amending Article 7105, eliminating from the provisions thereof, ferry bridge, turnpike and toll companies, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Knetsch:

H. B. No. 945, A bill to be entitled "An Act granting to John W. Goodrum of Guadalupe County, Texas, the right or permission to bring suit against the State of Texas and the State Highway Department in the District Court of Travis County, Texas, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Dunlap of Hays:

H. B. No. 946, A bill to be entitled "An Act to amend Section 4, Senate Bill No. 9, Chapter 5, Acts Second Called Session, Forty-third Legislature, and Senate Bill No. 118, Regular Session, Forty-fourth Legislature, and declaring an emergency."

Referred to Committee on Education.

By Mr. Fain:

H. B. No. 947, A bill to be entitled "An Act declaring it to be the policy of the Legislature to provide for the general welfare in an emergency declared to exist by regulating the production, distribution and sale of milk and milk products in this State;

defining certain terms; creating Milk Arbitration Board with certain powers and duties; etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Reed of Bowie:

H. B. No. 948, A bill to be entitled "An Act prohibiting the use of any seine, gill net or trammel net for taking fish from any of the waters of Bowie County, except a seine, gill net or trammel net of not less than two inches square mesh; etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Petsch:

H. B. No. 949, A bill to be entitled "An Act creating the office of State Permanent Fund Attorney; prescribing duties, qualifications and compensation; providing personnel, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Petsch:

H. B. No. 950, A bill to be entitled "An Act establishing the office of Bond Supervisor for the Permanent School Fund of the State of Texas; prescribing duties, term of office, qualifications, salaries, equipment and personnel for such officer; making appropriations therefor, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Fitzwater:

H. B. No. 951, A bill to be entitled "An Act authorizing the payment of old age pensions to all citizens of the United States, who are likewise citizens of Texas, and have been citizens of Texas for at least five (5) years prior to the application for a pension in this State and who are sixty (60) years of age and above; creating an Old Age Pension Fund in the State Treasury, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Rutta:

H. B. No. 952, A bill to be entitled "An Act providing for the combining

of the public welfare service now administered by the Board of Control through the Texas Relief Division, the Division of Child Welfare, and the Division of Eleemosynary Institutions and for the administering of these services by the Division of Public Welfare of the State Board of Control, which is herein created."

Referred to Committee on State Affairs.

By Mr. McKee:

H. B. No. 953, A bill to be entitled "An Act to amend Section 8, Chapter 271, General Laws of the Regular Session of the Forty-second Legislature, relating to leasing of minerals in lands owned by the State within tidewater limits and public school lands, so as to except from the operation of said section and chapter that portion of the Gulf of Mexico within the jurisdiction of Texas and to provide for the voluntary surrender and cancellation of leases heretofore issued on such excepted area and to authorize a refund of moneys paid to the State on such surrendered leases, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Pope:

H. B. No. 954, A bill to be entitled "An Act to give to the producers of farm products the right and privilege of producing without limitation in amount, to be sold and consumed in the markets of the world other than in the United States, free of all taxes and duties as provided in Sections 1 and 19 of Article VIII of the Constitution of the State of Texas, and Subdivision 5 of Section 9 of Article I of the Constitution of the United States; providing penalties for the interference with and denial of such rights, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Lanning:

H. B. No. 955, A bill to be entitled "An Act amending Chapter 161, Acts of the Regular Session, Thirty-ninth Legislature, also cited as Article 29-a, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. James:

H. B. No. 956, A bill to be entitled "An Act amending Subdivision 41, Section 1, Chapter 212, Acts of the Regular Session of the Forty-second Legislature, levying a tax upon all persons, firms, or corporations who produce or distribute cement in this State, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Morse:

H. B. No. 957, A bill to be entitled "An Act to protect the public health and morals by preventing the renting out by landlords and occupying by tenants of insanitary houses, and defining same, and providing for the carrying out of the provisions of the law, and providing penalties, and declaring an emergency."

Referred to Committee on Public Health.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. McCalla:

H. J. R. No. 46, Proposing an amendment to Article IV of the Constitution of the State of Texas so as to authorize courts having original criminal jurisdiction to suspend the imposition or execution of sentence and to place the defendant on probation, under such regulations as the Legislature may prescribe; providing for an election on the question of adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation thereof; and prescribing the form of ballot.

Referred to Committee on Constitutional Amendments.

RELATIVE TO CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. McCalla moved that the House hold night sessions on Tuesday and Thursday nights of this week, for the purpose of considering local and uncontested bills.

Mr. Knetsch moved that the House hold night sessions on Tuesday and

Wednesday nights of this week, for the purpose of considering local and uncontested bills.

Question recurring on the motion by Mr. Knetsch, it prevailed.

ADDITIONAL SIGNER OF HOUSE BILL

By unanimous consent of the House, Mr. Venable was authorized to sign House Bill No. 732 as co-author of same.

INVITING HON. KARL CROWLEY TO ADDRESS THE HOUSE

Mr. Greathouse offered the following resolution:

Whereas, The Hon. Karl Crowley of Texas, solicitor for the United States Post-Office Department, will be present in the House of Representatives on Monday morning, April 8; and

Whereas, Mr. Crowley is a Texan, occupying an important place in the affairs of the National Government; now, therefore, be it

Resolved by the House of Representatives, That Mr. Crowley be invited to address the House of Representatives at 11 o'clock Monday morning, April 8.

The resolution was read second time, and was adopted.

RELATIVE TO TAXES PAID ON NATURAL RESOURCES OF THE STATE

Mr. Frazer offered the following resolution:

H. C. R. No. 72, Relative to appointment of committee to study State natural resources.

Whereas, In the State of Texas there is generally believed that there exists inequity in the amount of taxes paid by producers and refiners of natural resources, to wit: gas, oil, sulphur, potash, gravel, antimony, asphalt, basalt, carbon black, clay, chromite, coal, copper, fuller's earth, natural gas, gasoline, gold, graphite, gypsum, iron, kaolin, lead, lignite, lime, limestone, manganese, marble, mercury, mica, petroleum sand, salt, shell, silver, zinc; and

Whereas, There is provided in the original Bill of Rights, and in our State Constitution that taxes shall be "equal and uniform," with no person or industry paying beyond an equi-

table portion of his or its earnings; and

Whereas, The constituency of the American Government and of Texas, as citizens and officials, are not desirous of overburdening any one industry in the collection of our State revenue, although the outcry of excess taxation by some industries prevails throughout the State; and

Whereas, Some industries are almost exempt from proportionate taxation, and in order to tax natural industries that are not now being taxed properly; therefore, be it

Resolved, That the Speaker of the House of Representatives and the President of the Senate each appoint a committee of three members, from each respective house of the Legislature to study the earnings, net profit, and amount of taxation paid into the State Treasury by each industry producing natural resources, and by-products therefrom, of this State, and by computation prepare a report to be presented to the next or Regular Session of the Legislature, showing the comparative amount of taxes paid into the State Treasury by each natural resource industry.

The committee shall be authorized and empowered to employ such clerical help, other assistance and expenditure created by facilities needed for performing the duties of this committee, along with expenses incurred by travel; be it further

Resolved, That the committee be limited in expenses to not exceed two thousand dollars (\$2,000), and the expenses of the committee be paid out of the Contingent Fund of the Forty-fourth Legislature; the expense account of each member of the said committee shall be sworn to and approved by the State Comptroller of Public Accounts, after same is sworn to and approved by the vice-chairman and secretary of the committee to be elected at the first meeting of the committee.

Signed—Frazer, Hankamer, Morse, McKee, Hartzog, Hill, Dunlap of Hays, Jefferson, Knetch, Reed of Dallas, Payne, Newton, Clayton.

The resolution was read second time.

Mr. Alsup moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—79

Adamson	Jones of Falls
Aikin	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Atchison	King
Bourne	Lanning
Bradbury	Lucas
Bradford	Mauritz
Broyles	McCalla
Burton	McConnell
Butler of Karnes	Moffett
Cagle	Morris
Calvert	Morrison
Canon	Newton
Cooper	Nicholson
Craddock	Olsen
Crossley	Palmer
Daniel	Patterson
Davisson	Payne
of Eastland	Petsch
England	Pope
Fain	Quinn
Farmer	Reed of Bowie
Fisher	Roach of Angelina
Ford	Roark
Fox	Roberts
Gibson	Rogers
Glass	Shofner
Gray	Spears
Greathouse	Steward
Hardin	Stovall
Harris of Archer	Tarwater
Head	Tennyson
Hodges	Venable
Hofheinz	Walker
Holland	Westfall
Huddleston	Wood of Harrison
Hunt	Wood of Montague
Hyder	Worley
Jackson	Young

Nays—30

Beck	Jones of Atascosa
Caldwell	Knetsch
Clayton	Lemens
Davis	Lindsey
Davison of Fisher	McKee
Dunagan	Morse
Dunlap of Hays	Reed of Dallas
Fitzwater	Russell
Frazer	Rutta
Fuchs	Scarborough
Good	Stanfield
Hankamer	Stinson
Harris of Dallas	Thornton
Hill	Tillery
Hoskins	Youngblood

Present—Not Voting

Smith

Absent

Ash	Jefferson
Butler of Brazos	Jones of Runnels
Celaya	Lange
Collins	Latham
Colquitt	Leath
Cowley	Leonard
Dickison	Lotief
Dunlap of Kleberg	Luker
Duvall	McFarland
Dwyer	McKinney
Graves	Moore
Hanna	Padgett
Herzik	Reader
Howard	Riddle
Hunter	Roane
James	

Absent—Excused

Adkins	Roach of Hunt
Bergman	Settle
Colson	Waggoner
Hartzog	Wells

RELATIVE TO CONFISCATED
BONDED LIQUORS

Mr. England offered the following resolution:

H. C. R. No. 74, Relative to confiscated bonded liquors.

Whereas, In recent law enforcement efforts, Texas State Rangers and other law enforcement agencies, working under the instructions of the Adjutant General's Department, have seized and confiscated large quantities of bonded liquors; and

Whereas, Considerable sums of money are spent each year for the purpose of furnishing needed liquors to the eleemosynary institutions of this State, and it is believed that the use of the liquors now on hand obtained from such seizures to meet the needs of such institutions would mean a saving of funds to such institutions; and

Whereas, It is the sense of the House of Representatives, the Senate concurring, That such liquors should be turned over to the State Board of Control for distribution among the eleemosynary institutions of this State as needed; now, therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That all law enforcement agencies and/or courts of the State of Texas now or hereafter to come into possession of any such liquors not needed as evidence in cases now or hereafter to be pending, be requested and instructed

to deliver such liquors to the State Board of Control, complying with shipping instruction of the State Board of Control; and be it further

Resolved, That the Board of Control be requested and instructed to pay transportation charges on same and to accept and store the same for use in the State eleemosynary institutions of this State; and be it further

Resolved, That all expenses incurred by the State Board of Control under this resolution shall be charged pro rata to the support and maintenance fund of the State eleemosynary institutions finally receiving such liquors.

ENGLAND,
CALVERT.

The resolution was read second time.

Mr. McKee moved that the resolution be referred to the Committee on Liquor Traffic.

The motion to refer the resolution was lost.

Question then recurring on the resolution, it was adopted.

TO DESIGNATE POET LAUREATE
OF THE STATE OF TEXAS

Mr. Walker offered the following resolution:

H. C. R. No. 75, To provide for poet laureate of Texas.

Whereas, There is a close connection between the long growth of civilization and the development of literature; and

Whereas, It has been customary in all ages for governments to recognize this relation by elevating the poet to the same plane as statesmen and military leaders; and

Whereas, The recognition of outstanding poets in this State and their elevation to places of honor will have a wholesome and beneficial effect on literature in this State; and

Whereas, The Legislature of the State of Texas has heretofore established the policy sought by this resolution to be continued; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That there shall be named a committee of five to appoint and designate some outstanding and recognized poet, who is a citizen

of Texas, who shall be poet laureate of the State of Texas for a period of two years from such appointment and designation; that said committee shall consist of two members of the House to be named by the Speaker; two members of the Senate to be named by the Lieutenant Governor, and one person to be named by the Governor.

WALKER,
MORSE.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 402 WITH SEN- ATE AMENDMENTS

Mr. Daniel called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 402, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for barter or sale after the passage of this Act, for a period of five years, any wild fox or the pelts thereof in the County of Houston, State of Texas, and providing a penalty therefor."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Daniel, the House concurred in the Senate amendments by the following vote:

Yeas—109

Adamson	Farmer
Aikin	Fisher
Alexander	Fitzwater
Alsup	Ford
Ash	Fox
Atchison	Frazer
Bourne	Gibson
Bradbury	Glass
Bradford	Graves
Broyles	Gray
Burton	Hardin
Butler of Karnes	Harris of Dallas
Caldwell	Herzik
Calvert	Hill
Canon	Hodges
Colquitt	Hofheinz
Craddock	Holland
Crossley	Hoskins
Daniel	Howard
Davison of Fisher	Huddleston
Davisson	Hunt
of Eastland	Hunter
Dickison	Hyder
Dunagan	James
Dunlap of Hays	Jones of Atascosa
England	Jones of Falls
Fain	Jones of Runnels

Jones of Shelby
Jones of Wise
Keefe
King
Knetsch
Lanning
Lemens
Leonard
Lindsey
Lotief
Lucas
Mauritz
McCalla
McConnell
McFarland
McKee
McKinney
Moffett
Morris
Morrison
Newton
Olsen
Padgett
Palmer
Patterson
Payne
Petsch
Pope

Quinn
Reader
Reed of Bowie
Reed of Dallas
Roach of Angelina
Roark
Roberts
Rogers
Russell
Rutta
Scarborough
Shofner
Stanfield
Steward
Stovall
Tarwater
Tennyson
Thornton
Tillery
Venable
Waggoner
Walker
Westfall
Wood of Harrison
Wood of Montague
Worley
Young
Youngblood

Nays—1

Davis

Absent

Beck	Harris of Archer
Butler of Brazos	Head
Cagle	Jackson
Celaya	Jefferson
Clayton	Lange
Collins	Latham
Cooper	Leath
Cowley	Luker
Dunlap of Kleberg	Moore
Duvall	Morse
Dwyer	Nicholson
Fuchs	Riddle
Good	Roane
Greathouse	Smith
Hankamer	Spears
Hanna	Stinson

Absent—Excused

Adkins	Roach of Hunt
Bergman	Settle
Colson	Wells
Hartzog	

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 494

The Speaker laid before the House, for consideration at this time, the conference committee report on House Bill No. 494;

The report having been submitted

on last Friday and further consideration of same postponed until today.

Mr. Tillery moved that the report be adopted.

Mr. Quinn moved that the report be not adopted, and that a new conference committee be requested to adjust the differences between the two houses.

On motion of Mr. Tillery, the motion of Mr. Quinn was tabled.

The conference committee report on House Bill No. 494 was then adopted by the following vote:

Yeas—98

Adamson	Hunter
Alexander	Hyder
Alsup	Jackson
Ash	James
Beck	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Jones of Shelby
Bradford	Jones of Wise
Burton	King
Butler of Karnes	Lanning
Cagle	Latham
Caldwell	Lemens
Calvert	Leonard
Canon	Luker
Celaya	Mauritz
Clayton	McCalla
Colquitt	McFarland
Colson	McKee
Davis	McKinney
Davisson	Moffett
of Eastland	Morris
Dickison	Morrison
Dunlap of Hays	Morse
Dunlap of Kleberg	Newton
England	Nicholson
Fisher	Palmer
Fitzwater	Patterson
Ford	Payne
Fox	Pope
Frazer	Reed of Dallas
Gibson	Riddle
Glass	Roach of Angelina
Gray	Roark
Greathouse	Roberts
Hankamer	Rogers
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Scarborough
Head	Smith
Herzik	Stanfield
Hill	Steward
Hodges	Tarwater
Hofheinz	Tennyson
Holland	Thornton
Hoskins	Tillery
Howard	Venable
Huddleston	Waggoner
Hunt	Walker

Wood of Harrison Worley
Wood of Montague

Nays—23

Aikin	Lotief
Atchison	Lucas
Broyles	McConnell
Craddock	Olsen
Fain	Petsch
Farmer	Quinn
Fuchs	Reed of Bowie
Graves	Shofner
Hardin	Stovall
Jones of Atascosa	Westfall
Knetsch	Youngblood
Lindsey	

Absent

Butler of Brazos	Jefferson
Collins	Keefe
Cooper	Lange
Cowley	Leath
Crossley	Moore
Daniel	Padgett
Davison of Fisher	Reader
Dunagan	Roane
Duvall	Spears
Dwyer	Stinson
Good	Young
Hanna	

Absent—Excused

Adkins	Settle
Bergman	Wells
Roach of Hunt	

Mr. Thornton moved to reconsider the vote by which the report was adopted.

The motion to reconsider prevailed.

The conference committee report on House Bill No. 494 was then adopted by the following vote:

Yeas—111

Adamson	Crossley
Alexander	Daniel
Alsup	Davison of Fisher
Ash	Dickison
Atchison	Dunagan
Beck	Dunlap of Hays
Bourne	Duvall
Bradbury	Dwyer
Bradford	England
Burton	Fain
Butler of Brazos	Fisher
Butler of Karnes	Ford
Cagle	Fox
Canon	Fuchs
Clayton	Gibson
Collins	Glass
Colquitt	Graves
Cooper	Gray
Craddock	Hanna

Harris of Archer	Morrison
Harris of Dallas	Newton
Head	Padgett
Herzik	Palmer
Hill	Patterson
Hodges	Payne
Hofheinz	Pope
Holland	Quinn
Hoskins	Reader
Howard	Reed of Dallas
Huddleston	Riddle
Hunt	Roach of Angelina
Hunter	Roach of Hunt
Hyder	Roark
Jackson	Roberts
James	Rogers
Jefferson	Russell
Jones of Atascosa	Rutta
Jones of Falls	Shofner
Jones of Runnels	Smith
Jones of Shelby	Stanfield
Jones of Wise	Steward
Keefe	Stovall
King	Tarwater
Lange	Tennyson
Lanning	Thornton
Latham	Tillery
Lemens	Venable
Leonard	Waggoner
Lotief	Walker
Lucas	Westfall
Luker	Wood of Harrison
McCalla	Wood of Montague
McFarland	Worley
McKinney	Young
Moffett	Youngblood
Morris	

Nays—10

Aikin	Knetsch
Broyles	Lindsey
Farmer	McConnell
Fitzwater	Olsen
Hardin	Reed of Bowie

Absent

Caldwell	Hartzog
Calvert	Leath
Celaya	Mauritz
Cowley	McKee
Davis	Moore
Davisson	Morse
of Eastland	Nicholson
Dunlap of Kleberg	Petsch
Frazer	Roane
Good	Scarborough
Greathouse	Spears
Hankamer	Stinson

Absent—Excused

Adkins	Settle
Bergman	Wells
Colson	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 8, 1935.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has adopted

S. C. R. No. 30, Recalling Senate
Bill No. 324 from the Governor's of-
fice for correction.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECALLING SENATE BILL NO. 324 FROM THE GOVERNOR'S OFFICE

The Speaker laid before the House,
for consideration at this time, the fol-
lowing resolution:

S. C. R. No. 30, Recalling Senate
Bill No. 324 from Governor's Office.

Whereas, Senate Bill No. 324 has
been passed by both houses of the
Legislature, and is now in the Gov-
ernor's Office, but has not been signed
by the Governor; and

Whereas, A mistake was inadver-
tently made in Section 2 of said bill
which should be corrected; now,
therefore, be it

Resolved by the Senate of Texas,
the House of Representatives concur-
ring, That the Governor be requested
to return Senate Bill No. 324 to the
Legislature for correction.

The resolution was read second
time, and was adopted.

HOUSE BILL NO. 780 ON PAS- SAGE TO ENGROSSMENT

The Speaker laid before the House,
as unfinished business, on its passage
to engrossment,

H. B. No. 780, A bill to be entitled
"An Act making appropriations for
the support and maintenance of the
executive and administrative depart-
ments and agencies of the State Gov-
ernment for the two-year period be-
ginning September 1, 1935, and end-
ing August 31, 1937, and for other
purposes; and prescribing certain reg-
ulations and restrictions in respect
thereto, and declaring an emergency";

The bill having been read second
time on Friday, March 29;

The House having agreed to consider the bill department by department, and having under consideration at this time the section of the bill relating to the State Department of Health.

Mr. McCalla offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 24, line 9, by striking out the figures "\$5,400—\$5,400," and inserting in lieu thereof the following: "\$13,500—\$13,500."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Patterson offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 24, lines 23, 25 and 26, by striking out the figures "\$1,080" wherever they occur and substituting therefor the figures "\$1,200."

(Mr. Spears in the Chair.)

On motion of Mr. Leonard, the amendment was tabled.

Mr. Leonard offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 25, line 17, after the words "general technicians," by inserting the word "two."

LEONARD,
READER.

The amendment was adopted.

Mr. Leonard offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 25, line 39, by changing the figures "\$10,850" in each column to read "\$11,850."

LEONARD,
READER,

The amendment was adopted.

Mr. McCalla offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 24, by inserting between lines 7 and 8 the following:

"Supervisory nurse, child hygiene, \$2,400—\$2,400."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Leonard offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 26, line 8, by striking out the figures "\$1,000" in each column.

LEONARD,
READER.

The amendment was adopted.

Mr. Reader offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 25, between the lines 39 and 40, insert a new item to read as follows: "for equipment and supplies and extra labor to equip laboratory to detect counterfeit cigarette stamps, \$4,000" in first column, and by inserting the words "payable out of the State Comptroller's portion of the funds set aside for the collection and enforcement of the cigarette tax law."

Question recurring on the amendment by Mr. Reader, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—89

Adamson	Jones of Atascosa
Alexander	Jones of Falls
Alsup	Jones of Runnels
Ash	Jones of Wise
Bradford	Keefe
Burton	Lanning
Butler of Brazos	Latham
Celaya	Lemens
Cooper	Lindsey
Crossley	Lotief
Davis	Lucas
Davison of Fisher	Luker
Davisson	McCalla
of Eastland	McConnell
Dickison	McFarland
Dunagan	Moffett
Dunlap of Hays	Morris
Duvall	Morrison
England	Morse
Fain	Newton
Fisher	Nicholson
Ford	Olsen
Fox	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Payne
Graves	Pope
Gray	Quinn
Greathouse	Reader
Harris of Archer	Reed of Dallas
Hartzog	Riddle
Head	Roach of Angelina
Herzik	Roark
Hill	Roberts
Hodges	Rogers
Hofheinz	Russell
Holland	Shofner
Hoskins	Smith
Huddleston	Stanfield
Hyder	Stovall
Jackson	Thornton
James	Tillery
Jefferson	Venable

Waggoner
Westfall

Worley
Youngblood

Nays—25

Aikin	Hardin
Beck	Harris of Dallas
Bourne	Hunt
Bradbury	Hunter
Broyles	Knetsch
Butler of Karnes	McKee
Cagle	Reed of Bowie
Canon	Rutta
Clayton	Tennyson
Craddock	Walker
Farmer	Wood of Harrison
Fitzwater	Wood of Montague
Hanna	

Absent

Atchison	Lange
Caldwell	Leath
Calvert	Leonard
Collins	Mauritz
Colquitt	McKinney
Cowley	Moore
Daniel	Petsch
Dunlap of Kleberg	Roane
Dwyer	Scarborough
Frazer	Spears
Good	Steward
Hankamer	Stinson
Howard	Tarwater
Jones of Shelby	Young
King	

Absent—Excused

Adkins	Roach of Hunt
Bergman	Settle
Colson	Wells

Mr. Reader offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 25, line 12, by striking out the words "chief chemist" and insert in lieu thereof the following: "Chemists, two." And strike out the figures "\$2,100" in both columns and insert in lieu thereof "\$4,200" in each column, and by adding the words: "one of whom shall be paid out of the State Comptroller's portion of the fund for the enforcement and collection of the cigarette tax."

The amendment was adopted.

Mr. Broyles offered the following amendment to this section of the bill:

Amend House Bill No. 780 by striking out the total figures in line 13, page 24, and placing in lieu thereof the figures "\$20,000."

On motion of Mr. Leonard, the amendment was tabled.

Mr. McCalla offered the following amendment to this section of the bill:

Amend House Bill No. 780, by inserting between lines 17 and 18 the following:

"Emergency disaster fund, \$5,000—\$5,000."

Mr. Pope moved to table the amendment by Mr. McCalla.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—50

Adamson	Hunt
Aikin	Jones of Falls
Alexander	Jones of Shelby
Beck	Jones of Wise
Bradbury	Knetsch
Butler of Karnes	Lanning
Cagle	Latham
Canon	Lemens
Craddock	Lindsey
Davisson	Lotief
of Eastland	Palmer
England	Pope
Farmer	Reed of Dallas
Fitzwater	Roach of Hunt
Ford	Roark
Fox	Roberts
Graves	Rogers
Greathouse	Scarborough
Hanna	Stanfield
Hardin	Tarwater
Harris of Dallas	Venable
Head	Waggoner
Herzik	Wood of Harrison
Hodges	Wood of Montague
Hoskins	Worley
Huddleston	

Nays—62

Alsup	Duvall
Ash	Fain
Bourne	Fisher
Bradford	Fuchs
Broyles	Gibson
Burton	Glass
Butler of Brazos	Harris of Archer
Clayton	Hill
Collins	Hofheinz
Colquitt	Holland
Cooper	Howard
Crossley	Hunter
Davis	Hyder
Davison of Fisher	Jackson
Dickison	James
Dunagan	Jones of Atascosa

Keefe	Reader
Lucas	Reed of Bowie
Luker	Riddle
McCalla	Roach of Angelina
McConnell	Russell
McFarland	Rutta
McKinney	Shofner
Moffett	Smith
Morris	Stovall
Morrison	Tennyson
Newton	Thornton
Padgett	Walker
Patterson	Westfall
Payne	Young
Quinn	Youngblood

Absent

Atchison	King
Caldwell	Lange
Calvert	Leath
Celaya	Leonard
Cowley	Mauritz
Daniel	McKee
Dunlap of Hays	Moore
Dunlap of Kleberg	Morse
Dwyer	Nicholson
Frazer	Olsen
Good	Petsch
Gray	Roane
Hankamer	Spears
Hartzog	Steward
Jefferson	Stinson
Jones of Runnels	Tillery

Absent—Excused

Adkins	Settle
Bergman	Wells
Colson	

Mr. Aikin raised a point of order on further consideration of the amendment by Mr. McCalla, on the ground that the amendment is vague and indefinite.

The Chair overruled the point of order.

The House, by unanimous consent, temporarily postponed consideration of the above amendment by Mr. McCalla.

Mr. McCalla offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 26, by inserting between lines 17 and 18 the following:

"Co-operative rural health units, \$5,000—\$5,000."

Question recurring on the amendment by Mr. McCalla, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—87

Adamson	Jefferson
Alexander	Jones of Runnels
Alsup	Jones of Shelby
Atchison	Jones of Wise
Bradbury	Keefe
Bradford	Knetsch
Broyles	Lanning
Burton	Latham
Butler of Brazos	Leath
Butler of Karnes	Leonard
Cagle	Lucas
Caldwell	McCalla
Clayton	McConnell
Collins	McFarland
Colquitt	McKinney
Colson	Moffett
Cooper	Morrison
Crossley	Newton
Dickison	Olsen
Dunagan	Padgett
Dunlap of Hays	Palmer
England	Patterson
Fisher	Payne
Fitzwater	Quinn
Ford	Reader
Fox	Reed of Dallas
Gibson	Roach of Angelina
Glass	Roark
Gray	Roberts
Greathouse	Rogers
Hankamer	Rutta
Hardin	Shofner
Harris of Archer	Stanfield
Harris of Dallas	Steward
Herzik	Stinson
Hill	Stovall
Hofheinz	Thornton
Holland	Tillery
Hoskins	Waggoner
Howard	Wood of Montague
Huddleston	Worley
Hyder	Young
Jackson	Youngblood
James	

Nays—29

Aikin	Lemens
Beck	Lindsey
Bourne	Lotief
Canon	Morris
Craddock	Pope
Davison of Fisher	Reed of Bowie
Davisson	Riddle
of Eastland	Roach of Hunt
Duvall	Russell
Fain	Smith
Farmer	Tennyson
Fuchs	Venable
Hanna	Walker
Hodges	Westfall
Hunter	Wood of Harrison

Absent

Ash	Celaya
Calvert	Cowley

Daniel	Lange
Davis	Luker
Dunlap of Kleberg	Mauritz
Dwyer	McKee
Frazer	Moore
Good	Morse
Graves	Nicholson
Hartzog	Petsch
Head	Roane
Hunt	Scarborough
Jones of Atascosa	Spears
Jones of Falls	Tarwater
King	

Absent—Excused

Adkins	Settle
Bergman	Wells

Mr. Patterson offered the following amendment to the section of the bill relative to the State Insurance Commission:

Amend House Bill No. 780, page 27, lines 12 and 13, by striking out the figures "\$1,080," wherever they occur, and substituting therefor the figures "\$1,200."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Lindsey offered the following amendment to this section of the bill:

Amend House Bill No. 780, lines 15 and 16, page 27, by changing the figures "\$1,800" to "\$1,500."

On motion of Mr. Leonard, the amendment was tabled.

Mr. McConnell offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 27, line 40, by changing the annual salaries from "\$4,000" to "\$3,500."

The amendment was adopted.

Mr. Padgett moved to reconsider the vote by which the amendment by Mr. McConnell was adopted.

Mr. McConnell moved to table the motion to reconsider.

The motion to table was lost.

Question recurring on the motion to reconsider, it prevailed.

On motion of Mr. Leonard, the amendment by Mr. McConnell was tabled.

Mr. Jones of Wise moved the previous question on the engrossment of House Bill No. 780, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Davisson of Eastland offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 27, line 37, by striking out the figures "\$100."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Venable offered the following amendment to this section of the bill:

Amend House Bill No. 780 by striking out lines 22, 23, and 24, page 27, and renumbering remaining lines to conform thereto.

On motion of Mr. Leonard, the amendment was tabled.

Mr. McConnell offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 28, by striking out lines 4 and 5 on said page 28.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Patterson offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 31, line 14, by striking out the figures "\$1,080" and substituting therefor the figures "\$1,200," and striking out the total "\$2,160" and substituting therefor "\$2,400."

The amendment was adopted.

Mr. Patterson offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 31, line 15, by striking out the figures "\$1,080" wherever they occur and substituting therefor the figures "\$1,200."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Duvall offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 33, lines 10 and 11, by striking out "inspectors, none exceeding \$165 per month" and insert in lieu thereof the following: "Three inspectors at \$1,700 per year each."

The amendment was adopted.

Question—Shall House Bill No. 780 pass to engrossment?

ADDRESS BY HON. KARL CROWLEY

In accordance with the provisions of a resolution by Mr. Greathouse, adopted on this morning, inviting

Hon. Karl Crowley to address the House at 11 o'clock a. m., today, the Honorable Senators having been invited to hear the address, were announced at the bar of the House, and being admitted, occupied seats along the aisle.

Hon. Karl Crowley was escorted to the Speaker's stand by Messrs. Greathouse, Youngblood, Smith, Leath, and Duvall.

Mr. Spears, who was in the Chair, presented Mr. Greathouse, who introduced Mr. Crowley.

Mr. Crowley then addressed the House.

RECESS

On motion of Mr. Cooper, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

PROPOSED AMENDMENT TO THE JOINT RULES

Mr. Alsop offered the following resolution:

H. C. R. No. 76, Proposed amendment to the Joint Rules.

Be it resolved by the House of Representatives, the Senate concurring, That Joint Rules of the House and Senate be amended so as to provide that no committee other than standing committees may be created by either house unless concurred in by both houses.

The resolution was read second time, and was referred by the Speaker to the Committee on Rules.

BILLS ORDERED NOT PRINTED

On motion of Mr. Walker, Senate Bill No. 207 was ordered not printed.

On motion of Mr. Walker, Senate Bill No. 42 was ordered not printed.

ADDITIONAL SIGNER OF HOUSE BILL

By unanimous consent of the House, Mr. Roark was authorized to sign House Bill No. 603, as co-author of same.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

S. C. R. No. 30, Recalling Senate Bill No. 324 from the Governor's office.

S. C. R. No. 28, Providing for observance of Texas Conservation and Beautification Week.

H. C. R. No. 71, Instructing the Enrolling Clerk to make certain correction in House Bill No. 251.

S. J. R. No. 24, Proposing to amend the Constitution of the State of Texas so as to permit the furnishing of State official textbooks free to every child of scholastic age, attending any school within the State.

H. B. No. 402, "An Act declaring it unlawful for any person to kill, take or have in his possession for barter or sale after the passage of this Act, for a period of five years, any wild fox or the pelts thereof in the County of Houston, State of Texas, and providing a penalty therefor."

H. B. No. 251, "An Act to amend Section 28, as heretofore amended by Chapter 5, page 6, of the Special Laws of the Regular Session of the Forty-third Legislature, of Chapter 5, page 14, of the Special Laws of the Regular Session of the Forty-second Legislature, of Chapter 36, page 359, of the Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas' (and for other purposes), and as heretofore variously amended, by providing that all taxes of said district for the calendar year 1935 and subsequent years shall become due on the first day of October of each year, respectively, and that unless one-half of such taxes are paid on or before the thirty-first day of the month in which such taxes become due, the entire taxes for that year shall become delinquent, and a penalty of ten per centum (10%) on all of said taxes shall accrue thereon, etc., and declaring an emergency."

(Mr. Russell in the Chair.)

CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 763

Mr. Beck submitted the following
conference committee report on House
Bill No. 763:

Committee Room,
Austin, Texas, April 2, 1935.

Hon. Walter Woodul, President of the
Senate, and Hon. Coke R. Steven-
son, Speaker of the House of
Representatives.

Gentlemen: We, your conference
committee, appointed to adjust the
differences between the two houses on
House Bill No. 763, have had same
under consideration, and recommend
that said bill pass in the form at-
tached hereto, and that our said re-
port be adopted.

"H. B. No. 763,

A BILL

To Be Entitled

An Act providing for relief for cer-
tain school districts of Texas, in
order to aid said districts, and re-
building their properties, and equip-
ping their schools, which were re-
cently destroyed by fire; providing
for work relief; making an appro-
priation to each of said districts for

said properties, and declaring an
emergency."

Be it enacted by the Legislature of
the State of Texas:

Section 1. That, by reason of the
complete destruction by fire of the
schools in the school districts speci-
fied, and on the dates indicated, in
the schedule shown in Section 2 of
this Act and by reason of drouth con-
ditions existing in each of said areas
for previous years, and flood condi-
tions in certain years, resulting in the
decrease of property values, and the
inability of the taxpayers to pay their
taxes, and resulting in great public
calamity to each of said districts,
there are hereby appropriated to the
several school districts named in Sec-
tion 2 hereof, the respective amounts
indicated therein, to be used by each
of said districts for the purpose of
constructing, repairing, and rehabil-
itating and/or equipping the school
building of each of said districts, said
appropriations to be out of the Gen-
eral Funds, and out of the funds not
otherwise appropriated.

Sec. 2. The names of the school dis-
tricts affected by this Act, the coun-
ties in which they are located, the
dates of the fires which destroyed the
schools and the amounts appropri-
ated hereby for each district are as
follows:

Name of District:	County	Date of Fire	Amount of Appropriation
Hooks Independent School District No. 16	Bowie	February 11, 1935	\$ 6,500.00
Axtell County Line Rural High School District	McLennan	December 5, 1934	6,500.00
Martinsville Common School District	Nacogdoches	October 1, 1934	4,500.00
De Kalb Independent School District	Bowie	December 4, 1934	4,500.00
Silas Common School Dis- trict	Shelby	July, 1934	2,000.00
Carthage Independent School District	Panola	September, 1934	2,500.00
Vivian Common School District No. 9	Foard	March 28, 1935	3,200.00
Moss Hill Common School District No. 24	Liberty	October 17, 1934	2,500.00
			Total, \$32,200.00

Sec. 3. The appropriations herein made are upon the condition that the school authorities of DeKalb Independent School District, Bowie County, shall first raise the sum of two thousand, five hundred dollars (\$2,500) and the school authorities of each of the other districts named in Section 2 hereof, shall first raise an amount equivalent to the amount appropriated herein for their respective districts.

Sec. 4. It is further provided that the Texas Relief Commission authorize and empower the local relief boards of the counties in which the school districts named herein are located to furnish all necessary labor in rebuilding the said school buildings in each of said school districts.

Sec. 5. It is further provided that the money cannot be paid out except on warrants of the Comptroller on sworn accounts by the trustees of each of said school districts and as same is needed in the construction and equipping of said school buildings in each of said school districts.

Sec. 6. The fact that said school property of each of said districts was destroyed by fire, thereby depriving the citizens thereof of school facilities, and by reason of the economic conditions of each of the districts rendering the people unable to restore said property and equipment to its former state by reason of the constitutional limitations on the rate of taxes that may be imposed, and by reason of the fact that it will be a great calamity to each of said districts to be deprived of public free schools, create an emergency and an imperative necessity that the constitutional rule, requiring bills to be read on three separate days, be suspended, and such rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

POAGE,
BECK,
HILL,
BLACKERT,
ONEAL,

On the part of the Senate;

BECK,
MOFFETT,
ALSUP,

On the part of the House.

Committee Room,

Austin, Texas, April 3, 1935.

Hon. Walter F. Woodul, President of
the Senate, and Hon. Coke

Stevenson, Speaker of the House
of Representatives.

Sirs: The undersigned members of the conference committee, appointed to consider House Bill No. 763 with Senate amendments voted "nay" on the bill and all amendments; and respectfully dissent from the majority, believing that the appropriation of State money to rebuild burned schoolhouses is unwise and contrary to sound governmental policy.

McFARLAND,
GOOD.

Mr. Beck moved that the report be adopted.

The report was adopted by the following vote:

Yeas—85

Alsup	Hunter
Ash	Hyder
Beck	Jackson
Bergman	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Jones of Shelby
Bradford	Jones of Wise
Broyles	Keefe
Burton	King
Butler of Brazos	Lanning
Butler of Karnes	Leath
Cagle	Leonard
Caldwell	Lucas
Calvert	Mauritz
Clayton	McKee
Collins	McKinney
Colquitt	Moffett
Cooper	Moore
Cowley	Morris
Crossley	Padgett
Daniel	Palmer
Davis	Patterson
Davison of Fisher	Payne
Dickison	Pope
Dunlap of Hays	Reader
Dwyer	Reed of Bowie
England	Reed of Dallas
Fisher	Roach of Angelina
Fitzwater	Roane
Ford	Roark
Glass	Roberts
Greathouse	Scarborough
Hankamer	Shofner
Hanna	Smith
Hardin	Steward
Harris of Dallas	Stinson
Head	Thornton
Hill	Tillery
Hodges	Westfall
Hoskins	Worley
Howard	Young
Huddleston	Youngblood
Hunt	

Nays—30

Adamson	Alexander
Aikin	Atchison

Davisson	McCalla
of Eastland	McConnell
Fain	McFarland
Farmer	Newton
Gibson	Olsen
Good	Rogers
Harris of Archer	Rutta
Hofheinz	Stovall
James	Tennyson
Jones of Atascosa	Waggoner
Knetsch	Walker
Lindsey	Wood of Harrison
Lotief	Wood of Montague
Luker	

Present—Not Voting

Quinn

Absent

Canon	Lange
Celaya	Latham
Craddock	Lemens
Dunagan	Morrison
Dunlap of Kleberg	Morse
Duvall	Nicholson
Fox	Petsch
Frazer	Riddle
Fuchs	Roach of Hunt
Graves	Russell
Gray	Spears
Hartzog	Stanfield
Herzik	Tarwater
Holland	Venable
Jefferson	

Absent—Excused

Adkins	Settle
Colson	Wells

Mr. Beck moved to reconsider the vote by which the conference committee report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 444 WITH SENATE AMENDMENTS

Mr. Celaya called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 444, A bill to be entitled "An Act making an appropriation for emergency malaria control measures by the State Board of Health in Cameron, Hidalgo, and Willacy Counties, for a period of seven months, and declaring an emergency."

The Chair laid the bill before the House, with the Senate amendments.

Mr. Celaya moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differ-

ences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Celaya, Reader, Leonard, Jackson, and Quinn.

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, April 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 444. The following have been appointed on the part of the Senate: Senators Shivers, Beck, Neal, Burns, and Hopkins.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 780 ON PAS- SAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 780, making an appropriation for the maintenance of the various State departments;

The bill having heretofore been read second time, the House having agreed to consider the bill department by department.

Mr. Aikin offered the following amendment to the section of the bill relative to the Board of Pardons and Paroles:

Amend House Bill No. 780, page 33, by striking out the figures "\$1,800" in line 32 and substituting in lieu thereof "\$1,500," and changing the figures in line 33 from "\$5,400" to "\$4,500."

Mr. Leonard moved to table the amendment by Mr. Aikin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—83

Alexander	Bradford
Ash	Burton
Bourne	Butler of Brazos

Butler of Karnes	Leath
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Luker
Cowley	Mauritz
Craddock	McConnell
Crossley	McFarland
Dickison	McKinney
Dunlap of Hays	Moffett
Duvall	Moore
Dwyer	Morris
England	Morrison
Farmer	Olsen
Fisher	Palmer
Fox	Patterson
Fuchs	Payne
Good	Petsch
Gray	Pope
Greathouse	Quinn
Hankamer	Reader
Harris of Dallas	Reed of Dallas
Hartzog	Roach of Angelina
Head	Roark
Herzik	Roberts
Hill	Russell
Hofheinz	Scarborough
Holland	Spears
Howard	Stanfield
Huddleston	Stinson
Hyder	Thornton
Jones of Atascosa	Tillery
Jones of Falls	Waggoner
Jones of Runnels	Walker
Jones of Shelby	Westfall
Jones of Wise	Wood of Montague
Keefe	Young
King	Youngblood
Lanning	

Nays—35

Adamson	Hunter
Aikin	James
Alsup	Jefferson
Atchison	Knetsch
Bradbury	Lotief
Broyles	Lucas
Cagle	McCalla
Canon	Newton
Cooper	Reed of Bowie
Dunagan	Rogers
Fain	Rutta
Fitzwater	Shofner
Ford	Smith
Gibson	Stovall
Glass	Tennyson
Hardin	Wood of Harrison
Harris of Archer	Worley
Hunt	

Present—Not Voting

Roane

Absent

Beck	Daniel
Caldwell	Davis
Calvert	Davison of Fisher

Davisson	Latham
of Eastland	McKee
Dunlap of Kleberg	Morse
Frazer	Nicholson
Graves	Padgett
Hanna	Riddle
Hodges	Roach of Hunt
Hoskins	Steward
Jackson	Tarwater
Lange	Venable

Absent—Excused

Adkins	Settle
Bergman	Wells
Colson	

Mr. Lotief offered the following amendment to the section of the bill relative to Board of Water Engineers:

Amend House Bill No. 780, page 34, line 26, by striking out the figures "\$5,000" and insert in lieu thereof the figures "\$2,500."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Davison of Fisher offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 34, by adding a new line between lines 25 and 26, termed "Stream Measurement and Topographic Survey," and insert the figures "\$27,000" in column for years ending August 31, 1936, and column August 31, 1937.

DAVISON of Fisher,
LEMENS.

On motion of Mr. Leonard, the amendment was tabled.

Mr. McKee offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 34, by inserting between lines 26 and 27 the following:

"Stream Measurement and Topographic Surveys, \$13,000 each year."

Mr. Lemens offered the following substitute for the amendment by Mr. McKee:

Substitute for amendment to House Bill No. 780, page 34, by adding between line 25 and line 26 a new line to read as follows:

"Steam Measurement and Topographic Surveys, \$20,000."

LEMENS,
HEAD,
SHOFNER,
BUTLER of Brazos,
JONES of Falls.

Mr. Leonard moved to table the substitute amendment by Mr. Lemens.

The motion to table was lost.

Question recurring on the substitute amendment, it was adopted.

The amendment as substituted, was then adopted.

Mr. Lemens moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Davison of Fisher offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 34, by striking out all the figures in line 25 and insert in lieu thereof "\$2,500."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Jones of Wise moved the previous question on the amendments on the Speaker's desk and the passage of the bill to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

On motion of Mr. Calvert, the debate on amendments to House Bill No. 780 was limited to three minutes each for the author of the amendment and Chairman of Appropriations Committee.

The House resumed consideration of the amendment, offered on this morning by Mr. McCalla, concerning certain emergency fund for the State Health Department.

Mr. McCalla offered the following substitute for the amendment offered on this morning:

Amend House Bill No. 780, page 26, by inserting between lines 17 and 18 the following: "emergency disaster fund, to be used only for necessary medicines, disinfectants and surgical supplies in combating the spread of disease threatened as a result of tornado, cyclone, flood, or similar disaster, \$5,000—\$5,000."

The amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. McKee offered the following amendment to the section of the bill relative to Bureau of Labor Statistics:

Amend House Bill No. 780, page 35, line 11, by changing the figures "\$2,280" to read "\$8,280."

The amendment was adopted.

Mr. McConnell offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 35, by changing the annual salaries in line 7, from "\$2,750" to "\$3,000."

On motion of Mr. Leonard, the amendment was tabled.

Mr. McKee offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 36, by striking out all after the word "show" on line 34, and strike out all of lines 35, 36, 37, and ending with the word "year" on line 38.

On motion of Mr. Leonard, the amendment was tabled.

Mr. McKee offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 36, line 36, by striking out the word "sixty" and insert in lieu thereof the word "eighty."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Huddleston offered the following amendment to the section of the bill relative to State Comptroller's Department:

Amend House Bill No. 780, page 38, line 25, by striking out the words "and certificate clerk," and by changing the figures "\$1,500" in line 26 to "\$1,200."

HUDDLESTON,
HARDIN.

The amendment was adopted.

Mr. Jones of Atascosa offered the following amendment to the section of the bill relative to the State Department of Education:

Amend House Bill No. 780, page 46, line 22, by changing the figures "\$2,600" in each column to "\$3,000."

JONES of Atascosa,
ALEXANDER,
BROYLES,
MOFFETT.

The amendment was adopted.

Mr. Roberts offered the following amendment to the section of the bill relative to the Executive Department:

Amend House Bill No. 780, page 52, line 15, by striking out the figures "\$2,400" wherever they appear and inserting in lieu thereof the figures "\$3,000."

The amendment was adopted.

Mr. Roberts offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 52, line 16, by striking out the figures "\$1,800" wherever they appear and inserting in lieu thereof the figures "\$2,400."

Mr. James moved to table the amendment by Mr. Roberts.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—30

Atchison	James
Bradbury	Jones of Atascosa
Broyles	Lotief
Caldwell	Lucas
Canon	Luker
Collins	McConnell
Colson	Moore
Cooper	Newton
Davisson	Palmer
of Eastland	Reed of Bowie
Farmer	Riddle
Fuchs	Roach of Angelina
Hanna	Roach of Hunt
Hardin	Stovall
Hodges	Venable
Jackson	

Nays—74

Adamson	Jones of Falls
Aikin	Jones of Runnels
Alexander	Jones of Shelby
Alsup	Jones of Wise
Ash	Keefe
Beck	King
Bourne	Knetsch
Bradford	Lange
Burton	Leath
Cagle	Lindsey
Clayton	Mauritz
Colquitt	McCalla
Craddock	McFarland
Crossley	McKinney
Dwyer	Moffett
England	Morris
Fain	Morrison
Fisher	Nicholson
Ford	Olsen
Fox	Padgett
Frazer	Patterson
Gibson	Payne
Glass	Pope
Gray	Quinn
Greathouse	Reader
Hankamer	Reed of Dallas
Harris of Dallas	Roark
Hartzog	Roberts
Head	Rogers
Herzik	Rutta
Hofheinz	Smith
Howard	Steward
Hunt	Stinson

Tennyson
Thornton
Waggoner
Walker

Westfall
Wood of Harrison
Wood of Montague
Youngblood

Present—Not Voting

Roane

Worley

Absent

Butler of Brazos	Huddleston
Butler of Karnes	Hunter
Calvert	Hyder
Celaya	Jefferson
Cowley	Lanning
Daniel	Latham
Davis	Lemens
Davison of Fisher	Leonard
Dickison	McKee
Dunagan	Morse
Dunlap of Hays	Petsch
Dunlap of Kleberg	Russell
Duvall	Scarborough
Fitzwater	Shofner
Good	Spears
Graves	Stanfield
Harris of Archer	Tarwater
Hill	Tillery
Holland	Young
Hoskins	

Absent—Excused

Adkins
Bergman

Settle
Wells

Question recurring on the amendment by Mr. Roberts, it was adopted.

Mr. Roberts offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 52, line 17, by striking out the figures "\$1,800" wherever they appear and inserting in lieu thereof the figures "\$2,100."

The amendment was adopted.

Mr. Petsch offered the following amendment to the section of the bill relative to the Game, Fish, and Oyster Commission:

Amend House Bill No. 780, page 53, by adding between lines 16 and 17 the following:

"Assistant executive secretary, \$2,700—\$2,700."

PETSCH,
GRAVES.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Petsch offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 53, line 16, by changing the figures "\$2,400" in each column to "\$3,600."

PETSCH,
GRAVES.

Mr. Alexander offered the following substitute for the amendment by Mr. Petsch:

Substitute figures in Petsch amendment to read "\$3,000" instead of "\$3,600."

On motion of Mr. Leonard, the substitute amendment was tabled.

On motion of Mr. James, the amendment by Mr. Petsch was tabled.

Mr. Wood of Harrison offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 53, lines 34 and 36, by adding "one" additional "warden," and changing the total from "\$9,000" to "\$10,500" in each column.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Hartzog offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 58, by striking out, on line 24, the figures "\$2,400" wherever they appear and inserting in lieu thereof "\$3,000."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Hartzog offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 58, by striking out all of lines 26 and 37 and inserting in lieu thereof the following:

"Boat captains, eleven (11), not exceeding \$1,500 per year, \$16,500."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Hartzog offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 59, by inserting between lines 4 and 5 the following:

"Barge equipped with suction dredge of at least 8 inches, \$8,000."

"Salaries of men operating dredge, \$2,400—\$3,600."

Operating expense of dredge, \$2,400, \$5,000."

"Groceries for men on dredge, \$400—\$600."

"Salary of marine biologist, \$2,400—\$2,400."

"Expenses of marine biologist, equipment and supplies, \$1,200—\$1,200."

"Salary, assistant marine biologist, \$1,200, \$1,200."

"Assistant coastal supervisor, \$2,400—\$2,400."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Lotief offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 56, line 24, by striking out the figures "\$500" for traveling expense.

On motion of Mr. Leonard, the amendment was tabled.

Mr. Jones of Atascosa moved the previous question on the passage of House Bill No. 780 to engrossment, and the motion was not seconded.

Mr. McConnell offered the following amendment to the section of the bill relative to Texas State Highway Department:

Amend House Bill No. 780, page 64, line 35, by changing the annual salary of the State Highway Engineer from "\$6,000 per annum" to "\$5,000 per annum."

On motion of Mr. Leonard, the amendment was tabled.

Mr. McConnell offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 64, line 39, by changing the annual salary of the assistant to the State Highway Engineer from "\$3,600 per annum" to "\$3,200 per annum."

On motion of Mr. Leonard, the amendment was tabled.

Mr. Knetsch offered the following amendment to this section of the bill:

Amend House Bill No. 780, page 70, lines 31 and 32, so as to have such lines read as follows:

"Privates 114, salaries not to exceed in any one case \$1,620 per year," and change totals to conform.

The amendment was adopted.

Mr. Padgett offered the following amendment to the section of the bill relative to the Industrial Accident Board:

Amend House Bill No. 780, page 74, by inserting between lines 8 and 9, a line known as line 8-a, as follows:

"Actuary adjuster, \$2,000."

The amendment was adopted.

Mr. Wells offered the following amendment to the section of the bill relative to Texas Library and Historical Commission:

Amend House Bill No. 780, page 75, between lines 4 and 5, by inserting a new line to read as follows:

"Field worker, \$1,420—\$1,420."

WELLS,
McCALLA,
BERGMAN.

The amendment was adopted.

Mr. Payne offered the following amendment to the section of the bill relative to the Live Stock Sanitary Commission of Texas:

Amend House Bill No. 780, page 77, by striking out the figures "\$2,500" wherever they appear in line 21 of the bill, and substituting in lieu thereof the figures "\$75,000," for each of the two years of the biennium.

PAYNE,
SPEARS,
LANGE.

Question—Shall the amendment by Mr. Payne be adopted?

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, April 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate Bill No. 361 and requests the appointment of a conference committee to adjust the differences between the two houses.

The following have been appointed on the part of the Senate: Senators Redditt, Hill, Burns, Cotten, Pace.

The Senate has adopted

S. C. R. No. 31, Granting Hon. W. R. Chapman, Judge of the One Hundred and Fourth Judicial District, permission to be absent from the State of Texas during 1935 and 1936.

The Senate has adopted the report of the conference committee on House Bill No. 494, by the following vote: Yeas, 27; nays, 1.

The Senate has passed

H. B. No. 782, A bill to be entitled "An Act providing for the conservation of the oil and gas resources of the State of Texas and for the prevention of the waste thereof; providing means of making effective and enforcing the oil and gas conservation laws of this State and Title 102, Revised Civil Statutes, 1925, as amended; defining terms; specifically defining and prohibiting waste; empowering and directing the Railroad Commission of Texas to make and enforce such rules, regulations or orders as may be necessary to conserve such oil and gas resources and

prevent their waste, etc., and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 444

Mr. Celaya submitted the following conference committee report on House Bill No. 444:

Committee Room,

Austin, Texas, April 8, 1935.

Hon. Walter Woodul, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the House and the Senate on House Bill No. 444, beg leave to report that we have considered the same and recommend that it do pass in the form as attached hereto.

"H. B. No. 444,

A BILL

To Be Entitled

An Act making an appropriation for emergency malaria control measures by the State Board of Health in certain areas of the State for a period of seven (7) months, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The State Board of Health is hereby authorized and empowered to carry on an intensive campaign of work toward eradication of malaria in certain areas of the State.

Sec. 2. There is hereby appropriated out of any moneys in the General Revenue Fund, not otherwise appropriated, the sum of four thousand and fifty dollars (\$4,050) for a period of seven (7) months beginning May 1, 1935, in amounts to be expended as follows:

Three (3) malaria field technicians, \$1,800 each per year	\$3,150.00
One (1) microscope for laboratory at Austin and supplies and contingencies...	900.00
Total	\$4,050.00

The laboratory work to be done in conjunction with the malaria control campaign provided for in this Act

shall be done either in the State Laboratories of the State Health Department in Austin, or in temporary laboratories set up in Orange, Jefferson, Cameron, Hidalgo, and or Willacy Counties, under the direction of and by the director of the State Laboratories in Austin, and in no other laboratory except as herein provided.

Sec. 3. The fact that malaria is prevalent and on the increase in certain areas and will continue to increase unless immediate steps are taken to control this disease, and that no funds are now available, and that the work of control should start at once, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each house, be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

SHIVERS,
BURNS,
HOPKINS,
NEAL,
BECK,

On the part of the Senate;

CELAYA,
JACKSON,
READER,
LEONARD,
QUINN,

On the part of the House.

On motion of Mr. Celaya, the report was adopted by the following vote:

Yeas—102

Adamson	Davis
Alexander	Davison of Fisher
Alsup	Davissou
Ash	of Eastland
Atchison	Dickison
Beck	Dunagan
Bergman	Dunlap of Hays
Bourne	England
Bradbury	Farmer
Bradford	Fisher
Burton	Ford
Butler of Karnes	Frazer
Calvert	Fuchs
Celaya	Glass
Clayton	Gray
Collins	Greathouse
Colquitt	Hankamer
Cooper	Harris of Archer
Cowley	Harris of Dallas
Crossley	Head
Daniel	Herzik

Hill	Padgett
Hofheinz	Palmer
Holland	Patterson
Hoskins	Petsch
Howard	Pope
Hyder	Quinn
Jackson	Reader
James	Reed of Bowie
Jones of Falls	Reed of Dallas
Jones of Runnels	Riddle
Jones of Wise	Roach of Angelina
Keefe	Roach of Hunt
King	Roark
Lanning	Roberts
Latham	Rutta
Lemens	Shofner
Leonard	Smith
Lindsey	Spears
Lotief	Steward
Lucas	Stinson
Mauritz	Tennyson
McCalla	Thornton
McConnell	Tillery
McFarland	Venable
McKee	Walker
Moffett	Westfall
Moore	Wood of Montague
Morrison	Worley
Newton	Young
Nicholson	Youngblood
Olsen	

Nays—17

Aikin	Hartzog
Cagle	Huddleston
Canon	Hunt
Craddock	Knetsch
Fain	Luker
Fitzwater	Morris
Good	Stovall
Hanna	Wood of Harrison
Hardin	

Present—Not Voting

Roane

Absent

Broyles	Jones of Atascosa
Butler of Brazos	Jones of Shelby
Caldwell	Lange
Colson	Leath
Dunlap of Kleberg	McKinney
Duvall	Moore
Dwyer	Payne
Fox	Rogers
Gibson	Russell
Graves	Scarborough
Hodges	Stanfield
Hunter	Tarwater
Jefferson	Waggoner

Absent—Excused

Adkins	Wells
Settle	

HOUSE BILL NO. 65 ON FINAL
PASSAGE

Mr. Tennyson moved to reconsider the vote by which House Bill No. 65 was passed.

The motion to reconsider prevailed.

Mr. Tennyson offered the following amendment to the bill:

Amend House Bill No. 65 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. That Article 1119 of the Revised Civil Statutes of Texas, 1925, be amended so as to hereafter read as follows:

"Article 1119. The governing body of all incorporated cities and towns in this State incorporated under the General Laws thereof shall have the power to regulate, by ordinance, the rates and compensation to be charged by all persons, companies, or corporations using the streets and public grounds of said city or town, and engaged in furnishing water, gas, telephone, light, or sewerage service to the public, and also to prescribe rules and regulations under which such commodities shall be furnished, and service rendered, and to fix penalties to enforce such charges, rules, and regulations. The governing body shall not prescribe any rate or compensation which will yield more than a fair return upon the fair value of the property used and useful in rendering its service to the public, but which return in no event shall ever exceed ten per cent (10%) per annum."

Sec. 2. That Article 1121 of the Revised Civil Statutes, 1925, be amended so as to hereafter read as follows:

"Article 1121. Any such company, corporation, or person who may be engaged in furnishing to the inhabitants of any such city or town any water, light, gas, telephone, or sewerage service, shall, on or before the first day of March of each year, file with the mayor of such city or town a written report sworn to by the manager, secretary, or president of such corporation, by a member of such company, and by any such person, which shall show:

"1. The amount of any lien or mortgage upon the properties composing such plant;

"2. All other indebtedness pertaining to such enterprise and the consideration therefor;

"3. The actual cost of the visible physical properties, date when installed and the present value thereof, and herein the lands, machinery, buildings, pipes, poles, circuits, mains shall each be treated separately;

"4. The annual cost of operating such plant, showing separate items, the amount paid for actual salaries, amount paid for labor of all kinds, fixed charges, including interest, taxes, and insurance, giving each separately, amount paid for fuel, for extension and repairs, giving each separately, and particularizing the extension and repairs, the cost of maintenance, amount paid for damages, claim, or suits for damages, identifying each claim or suit, amount paid for miscellaneous expenses, and, if any machinery or equipment is abandoned, worn out, or its use discontinued within the preceding year, the same shall be stated, the original cost, and the present value thereof shall be given;

"5. The report shall give the gross earnings from any such plant, including revenues from every source whatever, stating items separately, amount received by each department."

Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. If any provision of this Act shall be declared to be unconstitutional or invalid, it shall not invalidate or affect any other provision hereof.

Sec. 5. The fact that the Supreme Court of Texas, in a recent decision, has declared invalid and unconstitutional Article 1119 of the Revised Civil Statutes of 1925, as amended by the Forty-second Legislature, and in view of the further fact that Article 1121 does not now require telephone companies to make reports as required of other utilities, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each house, be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

TENNYSON,
HARRIS of Archer.

The amendment was adopted.

House Bill No. 65 was then passed by the following vote:

Yeas—112

Adamson	Jackson
Aikin	James
Alexander	Jones of Atascosa
Alsup	Jones of Falls
Ash	Jones of Runnels
Atchison	Jones of Wise
Beck	Keefe
Bergman	King
Bourne	Knetsch
Bradbury	Lange
Bradford	Lanning
Broyles	Leath
Burton	Lemens
Butler of Karnes	Lindsey
Cagle	Lotief
Calvert	Lucas
Canon	Mauritz
Clayton	McCalla
Collins	McConnell
Colquitt	McKinney
Colson	Moffett
Cooper	Moore
Craddock	Morrison
Crossley	Morse
Daniel	Newton
Davis	Olsen
Davisson	Padgett
of Eastland	Palmer
Dickison	Patterson
Dunagan	Payne
England	Pope
Fain	Reader
Farmer	Reed of Bowie
Fisher	Reed of Dallas
Fitzwater	Riddle
Ford	Roach of Angelina
Fox	Roane
Frazer	Roark
Fuchs	Roberts
Gibson	Rutta
Glass	Shofner
Good	Smith
Gray	Steward
Greathouse	Stinson
Hankamer	Stovall
Hanna	Tennyson
Hardin	Thornton
Harris of Archer	Tillery
Hartzog	Venable
Head	Waggoner
Herzik	Walker
Hofheinz	Westfall
Holland	Wood of Harrison
Howard	Wood of Montague
Huddleston	Worley
Hunt	Youngblood
Hyder	

Absent

Butler of Brazos	Dunlap of Kleberg
Caldwell	Duvall
Celaya	Dwyer
Cowley	Graves
Davison of Fisher	Harris of Dallas
Dunlap of Hays	Hill

Hodges	Nicholson
Hoskins	Petsch
Hunter	Quinn
Jefferson	Roach of Hunt
Jones of Shelby	Rogers
Latham	Russell
Leonard	Scarborough
Luker	Spears
McFarland	Stanfield
McKee	Tarwater
Morris	Young

Absent—Excused

Adkins	Wells
Settle	

HOUSE BILL ON FIRST READING

Mr. Lange moved to introduce and have placed on first reading, House Bill No. 958.

The motion prevailed by the following vote:

Yeas—116

Adamson	Fuchs
Aikin	Gibson
Alexander	Glass
Alsup	Good
Ash	Gray
Atchison	Greathouse
Beck	Hankamer
Bergman	Hanna
Bourne	Hardin
Bradbury	Harris of Archer
Bradford	Harris of Dallas
Broyles	Hartzog
Burton	Head
Butler of Karnes	Herzik
Calvert	Hill
Canon	Holland
Celaya	Howard
Clayton	Huddleston
Collins	Hunt
Colson	Jackson
Cooper	James
Cowley	Jones of Atascosa
Craddock	Jones of Falls
Crossley	Jones of Runnels
Daniel	Jones of Wise
Davis	Keefe
Davison of Fisher	King
Davisson	Knetsch
of Eastland	Lange
Dickison	Lanning
Dunagan	Latham
Dunlap of Hays	Leonard
Dunlap of Kleberg	Lindsey
Duvall	Lotief
Dwyer	Lucas
England	Mauritz
Fain	McConnell
Farmer	McFarland
Fisher	McKee
Fitzwater	Moffett
Frazer	Moore

Morrison	Smith
Newton	Spears
Padgett	Steward
Palmer	Stinson
Patterson	Stovall
Payne	Tennyson
Pope	Thornton
Quinn	Tillery
Reader	Venable
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Riddle	Westfall
Roach of Angelina	Wood of Harrison
Roach of Hunt	Wood of Montague
Roane	Worley
Roark	Young
Roberts	Youngblood
Rutta	

Present—Not Voting

Cagle

Absent

Butler of Brazos	Luker
Caldwell	McCalla
Colquitt	McKinney
Ford	Morris
Fox	Morse
Graves	Nicholson
Hodges	Olsen
Hofheinz	Petsch
Hoskins	Rogers
Hunter	Russell
Hyder	Scarborough
Jefferson	Shofner
Jones of Shelby	Stanfield
Leath	Tarwater
Lemens	

Absent—Excused

Adkins	Wells
Settle	

The Chair then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Lange:

H. B. No. 958, A bill to be entitled "An Act changing the time of holding the terms of the District Court in the Forty-ninth Judicial District, and providing that all processes and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties composing said district, together with jurors heretofore selected, are valid and returnable to the first term of such court, after this Act takes effect, etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

ADJOURNMENT

Mr. Good moved that the House adjourn until 9 o'clock a. m., tomorrow.

Mr. Dunagan moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Davison of Fisher moved that the House recess to 9:30 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Dunagan, it prevailed, and the House, accordingly, at 5:20 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committee filed favorable reports on bills, as follows:

Judiciary: House Bill No. 927 and Senate Bills Nos. 42, 198, and 207.

The Committee on Judiciary filed adverse reports on House Bills Nos. 931 and 932.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 251, "An Act to amend Section 28, as heretofore amended by Chapter 5, page 6, of the Special Laws of the Regular Session of the Forty-third Legislature, of Chapter 5, page 14, of the Special Laws of the Regular Session of the Forty-second Legislature, of Chapter 36, page 359, of the Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas' (and for other purposes), and as heretofore variously amended, by providing that all taxes of said district for the calendar year 1935, and subsequent years, shall become due on the first day of October of each year, respectively, and that unless one-half of such taxes are paid on or before the 31st day of the month in which

such taxes become due, the entire taxes for that year shall become delinquent, and a penalty of ten (10) per cent on all of said taxes shall accrue thereon; if, however, one-half of such taxes shall be paid on or before the 31st day of October, aforesaid, then the remaining one-half of said taxes may be paid on or before the 30th day of April, next following, without becoming delinquent, but if such remaining one-half of said taxes shall not be paid on or before the date last mentioned, said taxes shall immediately become delinquent and a like penalty of ten (10) per cent on all of said taxes shall accrue thereon; further providing that all delinquent taxes shall draw interest at the rate of six (6) per cent per annum from the date such taxes become delinquent; further providing that in the event one-half of said taxes are not paid on or before October 31st, as aforesaid, it is especially provided that if all of said taxes due for said year are paid in full on or before January 31st, next thereafter, there shall be no penalty and interest assessed thereon; however, should said taxes not be paid in full under this provision taxes shall be recorded as delinquent as of October 31st, prior, and shall bear penalty and interest from that date as provided in this Act; repealing all laws in conflict therewith, and declaring an emergency,"

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

FORTY-SEVENTH DAY

(Tuesday, April 9, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Bradford	Colquitt	Latham
Adamson	Broyles	Colson	Leath
Adkins	Burton	Cooper	Lemens
Aikin	Butler of Brazos	Cowley	Leonard
Alexander	Butler of Karnes	Craddock	Lindsey
Alsup	Cagle	Crossley	Lotief
Ash	Caldwell	Daniel	Lucas
Atchison	Calvert	Davis	Luker
Beck	Canon	Davison of Fisher	Mauritz
Bergman	Celaya	Davisson	McCalla
Bourne	Clayton	of Eastland	McConnell
Bradbury	Collins	Dickison	McFarland
		Dunagan	McKee
		Dunlap of Hays	McKinney
		Dunlap of Kleberg	Moffett
		Duvall	Moore
		Dwyer	Morris
		England	Morrison
		Fain	Morse
		Farmer	Newton
		Fisher	Nicholson
		Fitzwater	Olsen
		Ford	Padgett
		Fox	Palmer
		Frazer	Patterson
		Fuchs	Payne
		Gibson	Petsch
		Glass	Pope
		Good	Quinn
		Graves	Reader
		Gray	Reed of Bowie
		Greathouse	Reed of Dallas
		Hankamer	Riddle
		Hanna	Roach of Angelina
		Hardin	Roane
		Harris of Archer	Roark
		Harris of Dallas	Roberts
		Hartzog	Rogers
		Head	Russell
		Herzik	Rutta
		Hill	Scarborough
		Hodges	Settle
		Hofheinz	Shofner
		Holland	Smith
		Hoskins	Spears
		Howard	Stanfield
		Huddleston	Steward
		Hunt	Stinson
		Hunter	Stovall
		Hyder	Tarwater
		Jackson	Tennyson
		James	Thornton
		Jefferson	Tillery
		Jones of Atascosa	Venable
		Jones of Falls	Waggoner
		Jones of Runnels	Walker
		Jones of Shelby	Wells
		Jones of Wise	Westfall
		Keefe	Wood of Harrison
		King	Wood of Montague
		Knetsch	Worley
		Lange	Young
		Lanning	Youngblood
			Absent—Excused
		Roach of Hunt	